

07/16/2007 09:45

949-223-9610

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PAGE 01

**MYERS DAWES ANDRAS & SHERMAN LLP**  
An Intellectual Property Law Firm

**FACSIMILE COVER SHEET**

**DATE:** JULY 16, 2007

**TOTAL NUMBER OF PAGES INCLUDING THIS PAGE: 7**

PLEASE DELIVER AS SOON AS POSSIBLE TO:			
	RECIPIENT	COMPANY	FAX No.
1.	Refunds	USPTO	571-273-6500

**From:** Vic Lin

**Re:** U.S. Patent Application No.: 10/824,802  
Refund Request  
Our Ref. No.: IPM1.PAU.08

**NOTES/COMMENTS:**

Dear Sir:

Please refer to the following 6 pages and acknowledge receipt of these instructions.

Thank you.

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19900 MACARTHUR BOULEVARD, 11<sup>TH</sup> FLOOR, IRVINE, CA 92612  
PHONE (949) 223-9600 • FAX (949) 223-9610

[www.mdaslaw.com](http://www.mdaslaw.com)

IPM1.PAU.06

PATENT

## IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of:

Arthur W. Simpson

Examiner: Alimenti, Susan C.

For: RODENT SNAP TRAP DEVICE

Group Art Unit: 3644  
Irvine, California

Appl. No.: 10/824,802

July 16, 2007

Filed: April 15, 2004

**REQUEST FOR REFUND**  
**(IMPROPER CHARGE OF DEPOSIT ACCOUNT)****VIA FACSIMILE: 571-273-6500**

ATTN: Refunds

Director of the U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir/Madam:

## I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account 01-1960 shown on the statement dated September, 2006 for the above-identified patent application. A copy of the monthly statement in which the error referred to occurs, accompanies this request.

## II. FEES CHARGED FOR WHICH REFUND REQUESTED

Posting Ref. Txt.: 10824802 Fee Code: 2801 in the amount of \$395.00

Posting Ref. Txt.: 10824802 Fee Code: 2251 in the amount of ~~\$60.00~~**TOTAL REFUND REQUESTED****\$455.00**

Appl. No. 10/824,802

**III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

The contested charge is for duplicate charges in connection with a Request for Continued Examination and Request for a 1 Month Extension of Time filed on September 5, 2006.

On September 5, 2006, Applicant submitted a Request for Continued Examination and Request for a 1 Month Extension of Time. Our check numbers 14406 in the amount of \$60.00 for the Extension Request and 14407 in the amount of \$395.00 for the Request for Continued Examination were transmitted together with those documents. A copy of both the front and back of these checks confirming payment are enclosed.

Therefore, Applicant believes Deposit Account No. 01-1960 was improperly charged duplicate fees in the amount of \$455.00. Applicant respectfully requests a refund in the amount of \$455.00.

**IV. MANNER OF REFUND**

Please make refund by crediting Deposit Account No. 01-1960.

We respectfully request that the attached copy of this letter be returned to us with an indication that the credit has been processed.

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PAGE 04

Appl. No. 10/824,802

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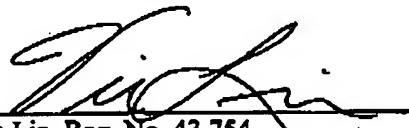
I hereby certify that this correspondence is being transmitted via facsimile  
to the United States Postal Service at 571-273-6500 on: July 16, 2007.

By: Jane Finch

Signature

Respectfully submitted,

Myers Dawes Andras &amp; Sherman, LLP

  
Vic Lin, Reg. No. 43,754  
19900 MacArthur Blvd., 11<sup>th</sup> Floor  
Irvine, CA 92612  
Tel: (949) 223-9600  
Fax: (949) 223-9610  
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PAGE 05

Page 1 of 1

## Deposit Account Statement



United States  
Patent and  
Trademark Office

## Deposit Account Statement

Requested Statement Month:

September 2008

Deposit Account Number:

011980

Name:

MYERS, DAWES, &amp; ANDRAS LLP

Attention:

JOSEPH C. ANDRAS

Address:

19800 MACARTHUR BLVD

City:

IRVINE

State:

CA

Zip:

92812

Country:

UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
09/07	132	10824802	IPM1.PAU.08	2801	\$395.00	\$3,853.00
09/07	133	10824802	IPM1.PAU.08	2251	\$60.00	\$3,793.00
09/08	194	PCT/US06/34022	PWV1PAU98PCT	1602	\$700.00	\$3,093.00
09/15	62	D508214	VJP1PAD.01	1464	\$130.00	\$2,963.00
09/15	625	PCT/US06/35108	PWV1PAU97PCT	1602	\$700.00	\$2,263.00
08/18	3	PCT/US05/36919		9204	-\$20.00	\$2,283.00
08/18	5	PCT/US05/36919		9204	-\$112.00	\$2,395.00
09/20	3	78756592	DOM1.TMA.03	6008	\$50.00	\$2,345.00
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START  
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\$4,248.00

SUM OF  
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SUM OF  
REPLENISH  
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END  
BALANCE  
\$1,082.00

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PAGE 06

Page 1 of 1

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Date: 9/14/2006

Amount: \$ 60.00

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PAGE 07  
Page 1011

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Date: 9/13/2006

**Amount: \$ 395.00**

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SEP 05 2006

Doc Code:

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U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

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REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTALAddress to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/824,802
Filing Date	04/15/2004
First Named Inventor	Arthur W. Simpson
Art Unit	3644
Examiner Name	Susan C. Alimenti
Attorney Docket Number	IPM1.FAU.06

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - ☐ Other \_\_\_\_\_
  - ☒ Enclosed
    - ☒ Amendment/Reply
    - ☐ Affidavit(s)/Declaration(s)
    - ☐ Information Disclosure Statement (IDS)
    - ☒ Other Interview Summary...
- Miscellaneous**
  - ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
  - ☐ Other \_\_\_\_\_
- Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
  - ☒ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments to Deposit Account No. 01-1960. I have enclosed a duplicate copy of this sheet.
    - ☒ RCE fee required under 37 CFR 1.17(e)
    - ☒ Extension of time fee (37 CFR 1.138 and 1.17)
    - ☐ Other \_\_\_\_\_
  - ☒ Check in the amount of \$ 455.00 enclosed
  - ☐ Payment by credit card (Form PTO-2038 enclosed)

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	09/05/2006
Name (Print/Type)	Eric Lin	Registration No.	43,754

## CERTIFICATE OF MAILING OR TRANSMISSION

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Signature		Adjustment date: 07/26/2007 MGEARRH1
Name (Print/Type)	Eric Hoover	07/27/2006 EFLORS 00000100 011960
Date	09/05/2006	01 FC:2801 395.00 DA

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. (Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PAGE 2/20 \* RCVD AT 9/5/2006 6:16:57 PM [Eastern Daylight Time] \* SVR:USPTO-EFXXRF-2/5 \* DNIS:2738300 \* CSID:949 223 9610 \* DURATION (mm-ss):05-06

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1082

10824802



Application No. 10/824,802  
Art Unit 3644  
Reply to Office Action of May 3, 2006  
Attorney Docket No. IPM1.PAU.06

Patent Application



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

Arthur W. Simpson

Serial No.: 10/824,802

Filed: April 15, 2004

For: RODENT SNAP TRAP DEVICE

Examiner: Alimenti, Susan C

Group Art Unit: 3644

**AMENDMENT IN RESPONSE TO MAY 3, 2006 OFFICE ACTION AND  
REQUEST FOR ONE (1) MONTH EXTENSION OF TIME**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In connection with the Request for Continued Examination (RCE) filed herewith and in response to the Office Action mailed May 3, 2006, please enter the following amendments and consider the following remarks. Applicant hereby requests a one (1) month extension of time. Please find enclosed the necessary fees. Please charge any deficit or credit any surplus to our Deposit Account No. 01-1960. A duplicate copy of this page is enclosed for that purpose. Applicant has also enclosed an Interview Summary memorializing the telephonic interview between the examiner and Applicant's counsel on September 1, 2006.

**A Complete Listing of Claims begins on page 2 of this paper.**

**Remarks begin on page 10 of this paper.**

09/08/2006 CREGA1

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60.00 OP



Doc Code:

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/824,802
Filing Date	04/15/2004
First Named Inventor	Arthur W. Simpson
Art Unit	3644
Examiner Name	Susan C. Allmenti
Attorney Docket Number	IPM1.PAU.06

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**1. Submission required under 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Interview Summary...

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments to Deposit Account No. 01-1960. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e) 09/08/2006 CNEGA1 00000068 10024802
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2001 395.00 OP
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 455.00 enclosed
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature		Date	09/05/2006
Name (Print / Type)	Vic Lin	Registration No.	43,754

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Signature		Date	09/05/2006
Name (Print / Type)	Eric Hoover		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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